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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,742	04/18/2001	Henry Daniell	CHL-T104XCI	6296

23557 7590 02/23/2004

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EXAMINER

KUBELIK, ANNE R

ART UNIT PAPER NUMBER

1638

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09807742

EXAMINER

ART UNIT

PAPER

204

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 27 January 2004 is not fully responsive to the prior Office Action and prior Notice of Non-Responsive Amendment because of the following omission(s) or matter(s):

1. The amendments to the claims to do not follow the Revised Amendment Practice of 37 CFR 1.121. Specifically, all additions should be indicated by underlining, and all deleted material should be ~~struck through~~.

2. The sequence identifier inserted after "GVGV" in claim 10 does not correspond to "GVGV" as "GVGV" is 5 amino acids long and SEQ ID NO:1 is 1250 amino acids long. In the response filed 27 January 2004, Applicant states that in the sequence listing the Feature data for SEQ ID NO:1 states, "This sequence may encompass 1-250 Gly Val Gly Val Pro repeats." However, this is meaningless, as SEQ ID NO:1 itself is 1250 amino acids long, and thus cannot be only 1-249 repeats of GVGVP long.

3. Applicant did not address the following issues from the previous Notice of Non-Responsive Amendment:

a. The amendment to paragraph spanning pg 29-30 of the specification could not be entered because the substitute specification with which that paragraph corresponds could not be entered. The substitute specification could not be entered because no marked-up copy was submitted. A marked up copy of the substitute specification is required if Applicant wishes its entry and entry of the amendment to paragraph spanning pg 29-30 of the specification.

b. Applicant did not make amendments to the specification to recite sequence identifiers after all references to GVGVP or after other sequences in the specification (for example, pg 78, paragraph 4, of the substitute specification).

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik, whose telephone number is (571) 272-0801. The examiner can normally be reached Monday through Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (571) 272-0804. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at (703) 308-0198.

ANNE KUBELIK
PATENT EXAMINER